Accompanying this filing are a petition for a three-month extension of time; a

Request for Continued Examination and an Information Disclosure Statement.

Applicants gratefully acknowledge the indication in the last action that claims 1-8,

11-14, 16-39, 41-42, 45-51 and 76 define patentable subject matter and are allowable.

Applicants also acknowledge the indication in the last action that claims 2-6, 1-14, 16-

39 and 45-51, formerly subject to a restriction requirement, are properly included in the

present application. In view of that indication, applicants have changed the

characterization of those claims from "Withdrawn" to "Original" in the listing of the

claims above.

Below are detailed remarks addressing each objection/rejection raised in the

Office Action dated March 31, 2005. No new matter has been added by the present

amendment.

Claim Rejections - 35 U.S.C. § 112

In response to the rejection of claims 15 and 40, both claims have been

amended to correct the double inclusion issue and now recite that the fist port/conduit is

in communication with the gas vent.

As to the rejections of claims 59 and 70 – no action has been taken as the

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claims still appear to be considered to be withdrawn from consideration. The Office

Action Summary page indicates "claims 53-59..." are withdrawn from consideration.

Claim 70 ultimately depends from withdrawn claim 55. If these claims are no longer

considered withdrawn, a positive indication to that effect is requested in the next action

or the examiner is invited to contact the undersigned by phone and resolve the issue

more quickly.

Claim Rejections based on Obviousness - 35 U.S.C. § 103

In response to the rejection of claims 52, 60 and 63 as obvious in view of Hunkin

et al, applicants have amended claim 52. Applicants disagree with the premise that it

would be obvious to make the sampling device of Hunkin sterile. The Hunkin device is

intended for collecting water samples from wells. The device is lowered into a body of

water and valve open to permit entry of water in the device only when the device has

reached a certain depth within the body of water. Although mention is made in the

patent of avoiding contamination of the sample, the concern is of contamination by

foreign matter in the body water at various depth levels. Providing a sterile chamber

was not mentioned or contemplated. Where the Hunkin device is primarily an industrial

sampling device for well water it is not likely that one of skill in the art would seek to

modify that device to provide sterile chamber. Such a high level cleanliness would not

be necessary in a commercial use such as sampling well water.

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Appl. No. 10/801,180

Amendment dated September 22, 2005

Reply to Office Action dated March 31, 2005

Claim 52 has been amended to more clearly recite that the sampling chamber is

sterile and is in communication with a gas vent that has a filter. Hunkin does not

disclose or suggest a vent with a filter.

Accordingly, because Hunkin does not disclose or suggest a sterile chamber nor

a gas vent with a filter, applicant request reconsideration of the rejection. Claims 60, 63

and 66 are dependent on claim 52 and should be considered allowable without

amendment based on the foregoing comments relating to claim 52.

If there are any charges or any credits, please apply them to Deposit Account

No. 50-3067.

Date: September 22, 2005

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